

CEMEX

Tiles

Mr. Carlos Jacks, President
CEMEX de Puerto Rico, Inc.
P.O. Box 364487
San Juan, Puerto Rico 00936-4487

Re: Administrative Amendments to the February 25, 1997, Prevention of Significant Deterioration of Air Quality (PSD) Permit and Non-Applicability Requirements

Dear Mr. Jacks:

On February 22, 2006, the Region 2 Office of the U.S. Environmental Protection Agency (EPA) received a PSD non-applicability request from Toro, Colon, Mullet, Rivera & Sifre, on behalf of the Puerto Rican Cement Company (PRCC). PRCC's new owner is CEMEX de Puerto Rico, Inc. EPA also received additional submittals dated March 14, April 26, May 4, and May 25, 2006. In its request, CEMEX proposed to replace the Electrostatic Precipitators (ESPs), the particulate controls for the kiln, and associated equipment with baghouses and co-combust tire derived fuel (TDF) in the cement kiln no. 6. These modifications will result in lower particulate emissions while the emissions of Nitrogen Oxides, Carbon Monoxide, Volatile Organic Compounds, and Sulfur Dioxide will not increase. Further, these changes will not affect the air quality demonstration made in support of the original PSD permit.

Our analyses of this request indicate that these modifications will affect both the PSD and non-PSD conditions of the 1997 permit. The PSD permit is being amended to reflect the addition of TDF as a fuel. EPA considers the addition of TDF as a change in the method of operation because its use does not fall within the "alternative fuel" exemption. CEMEX was not capable of co-combusting TDF in accordance with the requirements of 40 CFR Section 52.21(b)(2)(iii)(e). Since these changes (i.e., addition of TDF and baghouse substitution) will not result in any emission increase or have any effect on air quality, the PSD permit can be amended administratively. The non-PSD conditions are amended to reflect the lower particulate emissions resulting from the proposal to replace the ESPs with baghouses and CEMEX's agreement to begin the operation of the baghouses before beginning to co-combust TDF in the kiln.

Since CEMEX will continue to meet the annual and hourly emission limits, EPA has determined that these PSD and PSD non-applicability changes are approvable. This determination is final Agency action under the Clean Air Act (CAA). Under Section 307(b)(2) of the CAA, judicial review of this final action is available only by filing of a petition for review in the United States Court of Appeals for the appropriate circuit within 60 days from the date on which this final action is published in the Federal Register. Under Section 307(b)(2) of the CAA, this final permit decision shall not be subject to later judicial review in civil or criminal proceedings for enforcement. Note that the PSD permit related changes can be found in Enclosure II and the PSD non-applicability related changes can be found in Enclosure III. Enclosure I provides the facility description, summary of changes, and the facility impacts.

Although EPA has made these changes administratively and no public review is required, EPA requests that CEMEX provide outreach to the surrounding communities to inform and educate them about these changes. If you have any questions, please contact Mr. Steven C. Riva at (212) 637-4074.

Sincerely,

Walter Mugdan, Director
Division of Environmental Planning and Protection

Enclosures

cc: Evelyn Rodriguez, PREQB w/
Carlos Colon-Franceschi w/

bcc: C. Soderberg, w/o
S. Riva, w/
F. Mills, w/o
J. Siegel, w/
U. Dholakia, w/
J. Aponte, w/
File, w/